

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

NADIA DABUL-MONTINI, on behalf of N.D.,

Plaintiff,

-vs-

1:09-CV-0966

MICHAEL J. ASTRUE,,
Commissioner of Social Security,

Defendant.

THOMAS J. McAVOY
Senior United States District Judge

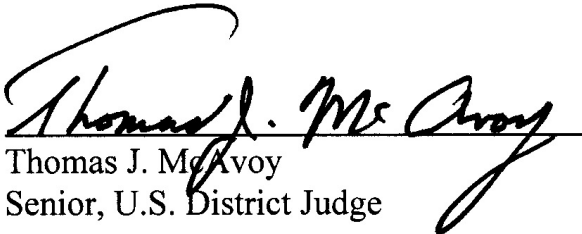
DECISION and ORDER

This matter was referred to the Hon. Victor E. Bianchini, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Rule 72.3(d) of the Local Rules of the Northern District of New York. No objections to the July 30, 2010 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation and Order for the reasons stated therein.

For the foregoing reasons, the case is remanded to the Commissioner of Social Security for the calculation of benefits.

IT IS SO ORDERED.

Dated: September 7, 2010


Thomas J. McAvoy
Senior, U.S. District Judge